

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

BOBBY D. EDWARDS,

05-CV-795-ST

Petitioner,

ORDER

v.

CHARLES A. DANIELS, Warden,  
FCI Sheridan,

Respondent.

**STEVEN T. WAX**

Federal Public Defender

**RUBEN L. INIGUEZ**

Assistant Federal Public Defender

101 S.W. Main Street, Suite 1700

Portland, OR 97204

(503) 326-2123

Attorneys for Petitioner

**KARIN J. IMMERGUT**

United States Attorney

**BRITANNIA I. HOBBS**

Assistant United States Attorney

1000 S.W. Third Avenue, Suite 600

Portland, OR 97204

(503) 727-1158

Attorneys for Respondent

**BROWN, Judge.**

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#30) on December 21, 2006, in which she recommended this Court grant Respondent's Motion to Dismiss (#7) for Lack of Jurisdiction and deny Respondent's request for costs on the basis that the Court lacks jurisdiction in this case. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Petitioner did not object to the Magistrate Judge's Findings and Recommendation. This Court, therefore, is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and

Recommendation (#30). Accordingly, the Court **GRANTS** Respondent's Motion to Dismiss (#7) for Lack of Jurisdiction and **DENIES** Respondent's request for costs on the basis that the Court lacks jurisdiction in this case.

IT IS SO ORDERED.

DATED this 20<sup>th</sup> day of February, 2007.

/s/ Anna J. Brown

---

ANNA J. BROWN  
United States District Judge